



Order Filed on October 4, 2021  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY  
Caption in Compliance with D.N.J. LBR 9004-2(c)

Eugene D. Roth, Esq.  
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Manasquan, New Jersey 08736  
Attorneys for the Debtor

In Re:

Eunice Svitzer

Debtor.

Chapter 13

Case No. 19-21612-MBK

Hearing Date:

Judge: Michael B. Kaplan, U.S.B.J.

**ORDER, PURSUANT TO SECTION 363(B) AND (F) OF THE BANKRUPTCY CODE,  
AUTHORIZING AND APPROVING THE SALE OF REAL PROPERTY, FREE  
AND CLEAR OF ALL LIENS, CLAIMS, ENCUMBRANCES AND INTERESTS AND  
APPROVING PAYMENT TO ALLOWED SECURED CLAIMS**

The relief set forth on the following pages numbered two (2) through five (5) is hereby  
**ORDERED.**

**DATED: October 4, 2021**

  
Honorable Michael B. Kaplan  
United States Bankruptcy Judge

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Debtor: Eunice Svitzer

Case No.: 19-21612-MBK

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This matter having been brought before the Court by Eunice Svitzer (the “Debtor”), by and through its counsel, the Law Offices of Eugene D. Roth by Motion (the “Sale Motion”) for the entry of an order pursuant to Section 363(b), (f) of the United States Bankruptcy Code (the “Bankruptcy Code”) authorizing and approving the sale of real property identifiable as 175 Lynn Court, Lakewood, NJ 08701 (the “Property”), free and clear of all liens, claims, encumbrances and interests; and due and proper notice of the Sale Motion having been provided to all parties required to receive notice; and it appearing that the relief requested in the Sale Motion is in the best interest of creditors and the estate; and any objections to the Sale Motion having been resolved, withdrawn or overruled by this Court; and good and sufficient cause appearing for the granting of the relief requested in the Sale Motion,

IT IS HEREBY ORDERED:

1. The Sale Motion is granted in all respects.
2. The Contract of Sale, annexed hereto as Exhibit A, is hereby approved.
3. Pursuant to section 363(b) and (h) of the Bankruptcy Code, the Debtor is authorized and directed to sell the Property to Avrohom Yeshaya Labkovsky and Nomi Labkovsky (the “Purchasers”).
4. Pursuant to section 363(f) of the Bankruptcy Code, the sale of the Property to the Purchasers is free and clear of any and all liens, claims, encumbrances and interests.

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5. The Debtor shall utilize the proceeds from the sale of the Property to pay the claims of allowed Secured Creditors on the Property, any outstanding taxes and the professionals noted in the Notice of Private Sale filed simultaneously with the Sale Motion.

6. The balance of the proceeds shall be paid to the Chapter 13 Trustee in the Debtor's case.

7. The sale of the Property to the Purchasers shall constitute a legal, valid and effective transfer of title to the Property.

8. The Debtor is authorized and directed to execute and deliver such documents and take such other actions as may be necessary, desirable or appropriate to effect, implement and/or consummate the sale of the Property to the Purchaser without further application to the Court.

9. The Court shall have jurisdiction to (a) implement, interpret, consummate and/or effectuate the provisions of this Order; and (b) resolve any disputes relating to the sale of the Property and distribution of the proceeds thereof.

10. Pursuant to Section 363(m) of the Bankruptcy Code, the reversal or modification of this Order on appeal shall not affect the validity of the transfer authorized herein unless the transfer is stayed pending appeal and prior to closing.

11. The fourteen (14) day stay on an order authorizing the use, sale or lease of property found in Federal Rules of Bankruptcy Procedure 6004(h) is hereby waived.

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11. Movant shall serve a copy of the executed Order on all interested parties who have not yet been served electronically by the Court.